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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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08/904,860 08/01/97 OHI

H EXAMINER 232-4367

LM51/1220

ART UNIT	PAPER NUMBER
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DINH, D

CHRISTOPHER E CHALSEN  
MORGAN AND FINNEGAN  
345 PARK AVENUE  
NEW YORK NY 10154

DATE MAILED:  
2757

12/20/99

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

### OFFICE ACTION SUMMARY

responsive to communication(s) filed on 9-30-99

his action is **FINAL**.

ince this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

ortened statutory period for response to this action is set to expire 3 month(s), or thirty days, never is longer, from the mailing date of this communication. Failure to respond within the period for response will cause application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1(a).

#### osition of Claims

Claim(s) 1-40 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

Claim(s) \_\_\_\_\_ is/are allowed.

Claim(s) 1-40 is/are rejected.

Claim(s) \_\_\_\_\_ is/are objected to.

Claims \_\_\_\_\_ are subject to restriction or election requirement.

#### lication Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

#### riority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

Certified copies not received: \_\_\_\_\_

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

#### achment(s)

☐ Notice of Reference Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

Dung C. Dinh  
Primary Examiner

#### DETAILED ACTION

The reference cited in the Information Disclosure Statement filed 5/16/98 was not considered because the reference is a pending US patent application; i.e. not a proper prior art.

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

*(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.*

Claims 1-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over WebCam+.

As per claims 1-4, WebCam+ is a Web based remote control camera. The system has an online form for entering controlling command for controlling the camera's position and zoom remotely over the Internet and deliver capture image via a web page [see page 2 "WebCam + Is Born ..."].

The article does not disclose storing the address and control command into a memory storage.

It is known in the art that data submit via online form is an URL encoded with the network address and form data value [see "Developing CGI Applications with Perl" Chapter 4 p.68-70]. It is

also known that an URL can be saved in storage as a 'shortcut' or a bookmark entry.

It would have been obvious for one of ordinary skill in the art to save the camera control URL (with the network address and form command values) in a memory storage because it would have enable quick control of the camera to move to a predetermined position instead of manual entering of the control information into the online form each time.

The steps of reading, accessing and transmission are apparent in the process of retrieving and submitting the bookmarked URL to the camera server.

As per claim 5-6, the input means of WebCam+ is a digital camera.

As per claim 7, the article discloses controlling the sensing angle of the camera ["the camera can be positioned in degrees of increment"].

As per claim 8, the article discloses controlling the focal distance of the camera [zoom].

As per claim 9, the article does not disclose controlling the shuttle speed. The type of control provided would have been a matter of design choice and would have been dependent upon the capability of the camera. It would have been obvious for one of ordinary skill in the art to provide command for shutter speed if the camera used has that feature.

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As per claim 10, it would have been well within the skill of one of ordinary skill in the art to write a program or script to generate and save the command URL.

As per claims 11-20, they are rejected under similar rationales as for claims 1-10 above.

As per claims 21-22, the recited limitation is inherent in the browser storing the command URL bookmark as stated in claim 1.

As per claims 23-40, they are rejected under similar rationale as for claims 1-10 above. The article disclose information indicating service allowable range of the server [zoom level 1 through 8]. The particular place where the result is inserted into the HTML document and the type of allowable service range of the server/device would have been a matter of design choice.

**The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.**

``Beyond the Web: Excavating the Real World Via Mosaic'' discloses web base remote control of a robotic arm and camera with information indicating the allowable service range of the robot arm.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Dinh whose telephone number is (703) 305-9655. The examiner can normally be reached on Monday-Thursday from 7:00 AM - 4:30 PM. The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached at (703) 305-4792.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, DC 20231

**or faxed to:**

(703) 308-9051, (for formal communications intended for entry)

(703) 305-9731 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).



Dung Dinh  
Primary Examiner  
March 26, 1999